

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF W & W SERVICE COMPANY)
FOR AN ADJUSTMENT OF RATES) CASE NO. 2004-00079
PURSUANT TO THE ALTERNATIVE RATE)
FILING PROCEDURE FOR SMALL UTILITIES)

O R D E R

W&W Service Company (“W&W”) has applied for an adjustment of its rates pursuant to 807 KAR 5:076.¹ On September 1, 2004, Commission Staff, pursuant to 807 KAR 5:001, requested that W&W provide certain information to substantiate its application and demonstrate that it was a Kentucky corporation in good standing and had legal standing to conduct business in the Commonwealth. On September 8, 2004, W&W refused to file the requested information.

As W&W has the burden of proof to demonstrate that the proposed rate is just and reasonable, KRS 278.190(3), and as it refuses to submit information necessary to determine the reasonableness of its proposed rate, the Commission finds the application should be dismissed.

IT IS THEREFORE ORDERED that W&W's application is dismissed without prejudice and is removed from the Commission's docket.

¹ W&W tendered its application on March 9, 2004. The Commission found several deficiencies in W&W's application which were cured on August 16, 2004. The application was accepted for filing on that date.

Done at Frankfort, Kentucky, this 29th day of September, 2004.

By the Commission

ATTEST:

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Executive Director

Case No. 2004-00079